

ROBERT P. VARIAN (SBN 107459)  
 rvarian@orrick.com  
 KAREN G. JOHNSON-MCKEWAN (SBN 121570)  
 kjohnson-mckewan@orrick.com  
 JAMES N. KRAMER (SBN 154709)  
 jkramer@orrick.com  
 JUSTIN M. LICHTERMAN (SBN 225734)  
 jlichterman@orrick.com  
 RUTH Y. KWON (SBN 232569)  
 rkwon@orrick.com  
 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 The Orrick Building  
 405 Howard Street  
 San Francisco, CA 94105-2669  
 Telephone: 415-773-5700  
 Facsimile: 415-773-5759

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Attorneys for Defendants-Respondents  
 NVIDIA CORPORATION and  
 NVIDIA US INVESTMENT COMPANY

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

In re  
 3DFX INTERACTIVE, INC., a California  
 corporation,  
 Debtor.

WILLIAM A. BRANDT, JR., TRUSTEE,  
 Plaintiff and Appellant,  
 v.  
 NVIDIA CORPORATION, a Delaware  
 corporation, and NVIDIA US INVESTMENT  
 COMPANY, f/k/a TITAN ACQUISITION  
 CORP. NO. 2, a Delaware corporation,  
 Defendants and  
 Respondents.

Case No. CV 08-04634 RMW

**STIPULATION AND []  
 ORDER THAT HEARING DATE  
 FOR NVIDIA'S MOTION TO  
 STRIKE IMPROPER MATERIAL IN  
 TRUSTEE'S OPENING BRIEF BE  
 TAKEN OFF CALENDAR**

Bankruptcy Case No.: 02-55795  
 Adversary Proceeding No.: 03-05079

Date: April 10, 2009  
 Time: 9:00 a.m.  
 Dept.: Courtroom 6, 4th Floor  
 Judge: Hon. Ronald Whyte

1 WHEREAS on January 9, 2009, Plaintiff and Appellant William A. Brandt, Jr. filed the  
2 Trustee's Opening Brief on appeal from a judgment entered after trial by the United States  
3 Bankruptcy Court on September 11, 2008;

4 WHEREAS on February 27, 2009, Defendants and Respondents NVIDIA Corporation  
5 and NVIDIA US Investment Company filed a Motion to Strike Improper Material in Trustee's  
6 Opening Brief, and set the motion for hearing on April 10, 2009, at 9:00 a.m.

7 WHEREAS the parties agree that the motion is appropriate for decision on the papers, and  
8 no hearing is necessary.

9 NOW THEREFORE the parties hereby stipulate and agree that the hearing date shall be  
10 taken off calendar and that the Court may decide the motion on the submissions of the parties.

11 **SO STIPULATED.**

12 Dated: April 2, 2009

13 By: /s/ Justin M. Lichterman  
14 Justin M. Lichterman  
15 ORRICK HERRINGTON & SUTCLIFFE LLP  
16 Counsel for the NVIDIA Respondents

17 *I hereby attest that I have on file all holograph signatures for any signatures indicated by a*  
18 *"conformed" signature (/s/) within this efiled document*

19 Dated: April 2, 2009

20 By: /s/ Kim Y. Arnone  
21 Kim Y. Arnone  
22 BUCHALTER NEMER  
23 Counsel for Chapter 11 Trustee William A. Brandt, Jr.

24 **ORDER**

25 Pursuant to the stipulation, and GOOD CAUSE appearing therefore, the Court hereby  
26 orders that the hearing on NVIDIA's Motion to Strike Improper Material in Trustee's Opening  
27 Brief shall be taken off calendar, and the motion shall be decided on the papers.

28 **IT IS SO ORDERED.**

Dated: 4/9, 2009

  
United States District Court Judge